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In the High Court of Chattisgarh, Bilaspur, Chattisgarh.

Dr.Pratap Agrawal s/o.Late B.N.Agrawal,
55 years, Advocate, Jagdalpur: 494001. ... Applicant.

vs.

Ajit Jogi
Chief Minister Chattisgarh,
Mantralaya, Raipur. 492001. ... Non-applicant.

Public Interest Litigation for
appropriate WRIT
Under Art 226 Constitution of India.

The applicant respectfully submits as under :-

1. That, In Public Sector Undertaking 'Bharat Alumunium Co.,Korba,Chattisgarh; also called 'BALCO,' a private partner 'Sterlite' has been included with Government of India. Annexure 'A'.

Annexure 'A'.

2. That, the non-applicant Chief minister Ajit Jogi has charged that this deal of partnership is infact a deal of transfer by sell of Balco to Sterlite. And it is against the interest of People of Chattisgarh. Annexure'A'.

Annexure 'A'.

3. That, the enclosed annexures are the clippings of newspapers Navbharat, Deshbandhu, Dainik Bhaskar published from Raipur, dated 3.3.2001 and 4.3.2001, which say as under :-

i). Ajit Jogi charges this deal as illegal having entered into by corrupt means between Public Servants of Union of India, State of Chattisgarh and Private Company 'Sterlite.'

ii). Ajit Jogi claims to know as to when, where, how and to whom the bribe has been paid and in which account of Swiss bank it is deposited.

iii). The amount of bribe is alleged to be Rs.100.00 crores.

iv). Ajit Jogi says that he will reveal this corrupt deal to a parliamentry enquiry committee only

4. That, section 39 of Code of Criminal Procedure reads as under :-

Annexur

Annexu:

added as under : " 3 (v) : Non-applicant Ajit Jogi asks Sterlite-owner Anil Agrawal to disclose the names of kick-back and bribery receipents, If Anil Agrawal is a `D E S H B H A K T A`. Cheif Minister Ajit Jogi is definitely a `Deshbhakta` and thus when he knows the recepients of Bribery,he must disclose it."

Amendment be order dated

XI-HC-22

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

आदेश पत्रक

W.P. No. 387/2001

मामला क्रमांक ..... सन् 199

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	16-7-2001 Shri O.P. Agarwal, Advocate for petitioner. **Dr. N.K.Shukla, Dy. A.G. for the State.** The present petition is filed on the basis of some press clippings about the statement alleged to be made by the respondent regarding sell of Balco to Sterlite. Certain clippings from newspapers Navbharat, D Deshbandhu, Dainik Bhaskar published from Raipur have been filed. The registry has noted that the P.I.L. is not at all with the directions laid down in the order passed in W.P. No. 988/99 S.P.Anand -v- State of M.P. dated 9-9-99 by a Division Bench of High Court of M.P. bench at Indore. Dr. Pratap Agrawal, petitioner has filed an affidavit not on the personal knowledge and is based on newspaper reports. In para 3 of the affidavit it is stated that **"my information of statement of non-applicant Ajit Jogi is based on newspaper reports and reports on Video channels."** So far as the matter regarding Balco is concerned it is being considered by the Hon'ble Apex Court. Shri A.S. Gaharwal, Sr. Central Govt. Standing counsel, has submitted the order passed by the Hon'ble Apex Court dated 12-3-2001, copy of which is taken on	

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record. In the abovesaid order, Hon'ble the Apex Court has made it clear that no Court except this Court shall deal with the subject matter of the issues/controversies raised in the present petitions.

Having thus considered the petition filed by the petitioner as public interest litigation before this Court does not deserve to be entertained and accordingly disposed of.

Sd/-
Chief Justice

Sd/-
Fakhruddin
Judge

PATHAK/-

[पीछे देखिये